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**Cc:** Woolford, James[Woolford.James@epa.gov]; Richardson, RobinH[Richardson.RobinH@epa.gov]; Herrera, Angeles[Herrera.Angeles@epa.gov]; Strauss, Alexis[Strauss.Alexis@epa.gov]; Minor, Dustin[Minor.Dustin@epa.gov]  
**From:** Manzanilla, Enrique  
**Sent:** Fri 4/15/2016 11:44:29 PM  
**Subject:** Proposed Anaconda listing

Barry,

Over the past several months, EPA Region 9 (“the Region”) has discussed the NPL process extensively with the State of Nevada (“the State”), including the listing process as well as the process through which NPL sites compete nationally for cleanup funding. Throughout these discussions (and discussions with the other site stakeholders), our message has been consistent:

- NPL listing makes a site eligible for cleanup funds
- Without NPL listing there is no chance of receiving remedial federal funds for cleanup
- No guarantee of future funding was provided to the NV Governor or anyone as part of the Anaconda Mine site listing process

To describe the possible likelihood of funding, we shared with the State statistics on how many NPL cleanup projects have been funded in recent years, as follows:

*“In FY2015, EPA funded/started 33 of 36 eligible, new government-performed remedial construction projects. In other words only 3 of 36 construction ready projects went unfunded in 2015. Given the gravity of the situation at OU8, we believe that the Agency would consider the Anaconda Mine site a priority for funding.”*

The Region additionally informed the State and other stakeholders that the Anaconda Mine Site (“the Site”) would be eligible to compete for federal funding shortly after we list it on the NPL. Factors that affect how soon EPA funds a project include other competing needs, available funds and site-specific conditions. Given the gravity of the situation at OU8, we informed them that we believe the Agency would consider the Site a priority for funding.

The Region believe the State’s response demonstrates an understanding that there is no guarantee of funding. Specifically, the State’s response requested that EPA develop contingency plans to keep the site stable should federal cleanup funds not be made available.

*“2. Assurances and contingency plan if federal funds are not available for a permanent remedy. EPA must assure that federal funding will be made available if the Site is listed on the NPL. If EPA is unsuccessful in securing sufficient federal funds to permanently close the Arimetco portion of the Site, EPA must develop and implement a contingency plan on necessary interim actions to prevent a release of Arimetco draindown fluids to the environment.”*

Finally, the Region has informed the Site stakeholders that the Arimetco operable unit is further along the clean-up process than most sites when they are added to the NPL. Usually, final addition to the NPL begins the process of more intensive site evaluation and selection of cleanup remedies (followed by design and construction of those remedies). This process typically takes at several years. However, at Anaconda the Arimetco operable unit has already completed several steps in the CERCLA process and is ready for a proposed remedial action (Proposed Plan).

Please let me know if you would like to discuss further.

Best Regards,

Enrique Manzanilla

Director, Superfund Division

US EPA Region IX